

Officer Kurtenbach testified he was not provided a change of address for Beck at 3304 R Avenue, in Rosalie, and Beck had twice previously tested positive for methamphetamine. However, Beck had successfully completed an alcohol treatment program in Macy. Mr. Beck testified he would serve as a third party custodian and have Beck reside with Mr. Beck and his wife in Lyons. Mr. Beck testified Beck stayed with them for some time after Beck and his girlfriend had a dispute. Thurston County Sheriff's Office deputies found a cache of stolen long guns and handguns at Beck's residence. In one of the bedrooms the deputies found a compartment under the mattress which contained numerous firearms. There was a plethora of ammunition found together with a marijuana smoking device found in a wicker basket by the bed. Numerous other firearms were found in a van located in a shop next to the residence. Mr. Beck testified his son knew the Sheriff

wanted to talk to him and Beck turned himself into the U.S. Marshal in Omaha after Beck had engaged counsel. Beck's counsel proffered to the court Beck could be employed with a Mike Storm involving farming operations.

Beck's prior conviction for being a felon in possession of a firearm in 2007 arose from a search of his residence revealing numerous stolen firearms (Paragraphs 17 and 18, Presentence Investigation Report, Filing No. 34). Beck has a previous criminal history of several drug convictions and charges involving burglary and possession of stolen property.

It is Beck's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, I find he has failed to do so. In light of Beck's previous criminal record including the circumstances of the current violations, the court finds Beck to be both a flight risk and a danger to the community. Beck's Amended Motion For Reconsideration of Detention (Filing No. 59) is denied and Beck should remain detained pending his dispositional hearing before Judge Bataillon.

IT IS SO ORDERED:

DATED this 3rd day of October, 2012.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge